



1886

The Laws of Jamaica, 1886 II

Jamaica

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Henry Vandenberg
C. J. Vandenberg

Manton & Hart



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WITHDRAWN
CSL

THE

Vernon E. Frost

L A W S O F J A M A I C A

PASSED IN

A SESSION WHICH BEGAN ON THE 22ND DAY OF SEPTEMBER,
AND PROROGUED ON THE 21ST DAY OF OCTOBER, 1886.

PUBLISHED BY AUTHORITY.

AUG 29 1910



J A M A I C A :
GOVERNMENT PRINTING ESTABLISHMENT.

1886.

TABLE OF LAWS.

[Assented to 7th October, 1886.]

15. The Registration of Voters Law, Amendment Law, 1886.

[Assented to 9th October, 1886.]

16. A Law to Allow and Confirm certain Expenditure in 1884-85.

17. A Law to enable the construction of Light Houses where required.

18. A Law to enable the suspension of certain Provisions of the Immigration Laws as to application for Immigrants.

19. A Law in aid of Naval Discipline in Colonial Waters.

[Assented to 15th October, 1886.]

20. The Parochial Road Law Amendment Law, 1886.

21. The Married Women's Property Law, 1886.

22. The Franchise Enlargement Law, 1886.

[Assented to 22nd October, 1886.]

23. The Incorporated Companies and Societies Law, 1886.

24. The Appropriation Law, 1886-87.

25. The Kingston Assessment Laws Amendment Law, 1886.

26. A Law respecting the Preservation of Public Health and in aid of Laws 6 of 1867 and 8 of 1874.

[Assented to 27th October, 1886.]

27. The Benefit Building Society Act, 1865, Amendment Law, 1886.

28. A Law to lessen the Court Fees payable in Common Law Plaints in the District Courts.

STATUTES AND LAWS

Repealed and Amended by Laws of 1886.

Statutes and Laws Repealed or Amended.	How Affected.	Number of Law of 1886.
Law 9 of 1886	{ Section 42 amended and incorporated with	{ Law 15.
Law 26 of 1872		
Law 23 of 1879	{ Sections 21 to 25 may be suspended under	{ Law 18.
Law 29 of 1873	{ Sections 2 and 3 of Law 29 of 1873 and Law 11 of 1878 affected by	{ Law 20.
Law 11 of 1878		
Law 8 of 1879	Repealed by	Law 21.
Law 20 of 1884	{ Law 20 of 1884 and Sections 2, 5, 7 and 15, and the second clause of Section 4 of Law 9 of 1886 repealed by	{ Law 22.
Law 9 of 1886		
6 Vic., ch. 27	{ Amended and incorporated with	{ Law 23.
27 Vic., sess. 2, ch. 4		
28 Vic., ch. 17		
Law 20 of 1881	{ Sections 1, 3 and 9 of Law 20 of 1881, and Section 7 of Law 34 of 1882, amended, and Section 11 of Law 20 of 1881, repealed by, and these Laws incorporated with	{ Law 25.
Law 34 of 1882		
Law 6 of 1867	{ Incorporated with	{ Law 26.
Law 8 of 1874		
28 Vic., ch. 17	Section 22 partially repealed by	Law 27.
Law 32 of 1882	{ Part 1 of the Schedule with regard to Common Law District Court Fees repealed by	{ Law 28.



JAMAICA—LAW 15 OF 1886.

The Registration of Voters Law, Amendment Law, 1886.

[7th October, 1886.]

*See Law 9 of '86
See Law 9 of 1886*

WHEREAS the Registration of Voters Law, 1886, does not provide for cases in which two or more Parishes comprising an Electoral District are subject to the jurisdiction of different District Court Judges :—

Preamble.

And Whereas the Judge of the Northern District Court, being the Revising Judge appointed by Law to settle the Parochial Register for the Parish of St. Ann, and the Judge of the Central District Court, being the Revising Judge appointed by Law to settle the Parochial Register for the Parish of St. Mary, have joined in settling and signing a Register of Voters for the Electoral District of St. Ann and St. Mary, but were unable to complete and sign the same on or before the 15th day of August last :—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—In all cases where an Electoral District is partly within the jurisdiction of one Revising Judge, and partly within that of another, the Governor shall from time to time determine, giving notice of any such determination in the Jamaica Gazette and to each of such Revising Judges, to which of them shall be assigned the duty of making up, settling and signing, the Register of Voters of such Electoral District.

Which Judge shall settle the Register of Voters in Electoral Districts where two Judges have jurisdiction.

The Judge to whom that duty is assigned is hereinafter called the Electoral Revising Judge.

Procedure and time
limit for settling
such Register.

2—In all such cases the Revising Judge to whom that duty is not assigned shall sign a Duplicate Register for the Parish for which he is Revising Judge, and shall on or before the 17th day of August forward the same to the Electoral Revising Judge, who shall thereupon proceed to make up, and settle and sign, the Register of Voters for such Electoral District in the manner prescribed in Section 42 of the Registration of Voters Law 1886.

The Register of Voters for each such Electoral District shall be settled and signed by the Electoral Revising Judge before the 31st day of August.

Delivery of Register
to Returning
Officer.

3—As soon as the Electoral Revising Judge has settled and signed the Register of Voters for such Electoral District, he shall deliver the same to the Returning Officer of the District appointed under Law 21 of 1884.

Law 9 of 1886, Sec-
tion 42, amended.

4—Section 42 of the Registration of Voters Law, 1886, is hereby amended by substituting the term "Schedule B" for "Schedule A."

Register of Voters
for St. Ann and St.
Mary confirmed.

5—The Register of Voters for the Electoral District of St. Ann and St. Mary, so settled and signed as herein recited, is hereby validated and confirmed, and is declared to be the Register of Voters for the said Electoral District, and shall continue in force until it shall be superseded by another Register duly made according to Law.



JAMAICA—LAW 16 OF 1886.

A Law to Allow and Confirm certain Expenditure in 1884-85.

[9th October, 1886.]

WHEREAS expenditure during the financial year 1884-85, on certain services not provided for or not fully provided for by Law 9 of 1884, was temporarily defrayed out of savings effected on the provision that had been made for expenditure on certain other services :—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—The expenditure during the financial year 1884-85, to the amount of three thousand six hundred and ninety five pounds, nine shillings and three-pence half-penny, on certain services set forth in the Schedule to this Law annexed, that was temporarily defrayed out of savings effected in that year on the provision that had been made for other services by Law 9 of 1884, is hereby allowed and confirmed.

Expenditure of
£3,695 9s. 3½d., as
per Schedule, con-
firmed.

Appropriation Law, 1884-85.

SCHEDULE.

Expenditure of 1884-85 not fully provided for by Law 9 of 1884.

			£	s.	d.
Pensions	...	...	57	12	2
Education	...	...	631	5	8
Harbour Masters	...	...	54	5	2
Government Printing and Stationery Establishment			197	4	10½
Miscellaneous	...	...	2,679	2	9
Lands	...	...	75	18	8
			£3,695	9	3½



JAMAICA—LAW 17 OF 1886.

A Law to enable the construction of Light Houses where required.

[9th October, 1886.]

WHEREAS it is desirable to enable the Government to supply Lights at various points on the coast of the Island for the benefit of sea-going and coasting vessels :—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—In the construction of this Law, the term “Light” includes any Light-house, Light or Beacon, for the warning or guidance of vessels or boats in approaching or leaving or moving about in harbour, port or place, at night.

Interpretation clause.

2—It shall be lawful for the Mercantile or Shipping Community of any port in the Island, or any members thereof, or any persons interested in the trade of vessels calling at such port, to apply from time to time to the Governor to authorize the construction of a Light at or near such port for the benefit of vessels trading or calling there.

Power to apply for a Light at any Port.

3—Every such application shall state the nature of the trade at such port, and the classes of vessels trading there, and the usual or average number of each class calling there annually, and the usual number of times that they call each year, and shall express the willingness of the applicants to submit to a light-due or tax on vessels trading or calling at such port, and shall be signed and vouched by a sufficient number of persons to show that the application has the general concurrence and approval of the Mercantile and Shipping Community of the locality.

Particulars to be stated in application, and by whom to be signed.

The applicants shall also furnish to the Governor all such further or other information connected with the application as he shall from time to time require.

Power to Governor to authorize the construction of a Light.

4—It shall be lawful for the Governor, if he thinks fit but not otherwise, and upon his being satisfied that funds will be forthcoming from the locality to meet the cost of construction of any Light so applied for, with interest and sinking fund, and the cost of maintenance, by minute or order under his hand to authorize the construction of such a Light at or near such harbour, port or place.

Such Light is a building within the meaning of Law 16 of 1868.

5—Every Light so authorized by the Governor to be constructed shall be deemed to be a building of the Colonial Government within the meaning of Law 16 of 1868, read in connection with Law 23 of 1882, altering the title of the Director of Roads to that of Director of Public Works.

Primary payment of costs of Light.

6—If the Governor gives such authority he may order that the whole, or any part, of the amount required for the construction and maintenance of the proposed Light shall be paid by the Treasurer in such manner, by such instalments, at such periods and to such person or persons, as the Governor shall from time to time direct.

Accounts of moneys advanced, how to be kept.

7—All moneys so advanced or paid shall be charged to an account in the books of the Treasurer to be called "The Light House Account," specifying the name of the Light; and interest thereon at the rate of four per centum per annum shall be written up thereon at the close of each financial year.

Power to acquire lands.

8—The Colonial Secretary with the sanction of the Governor may purchase and hold such lands, and easements relating to lands, as may be required for the purpose of this Law; and to facilitate such purposes the Lands Clauses Law, 1872, shall be incorporated with this Law, with the exceptions and subject to the conditions hereinafter mentioned, that is to say:—

Lands Clauses Law, 1872, partially incorporated.

(a) There shall not be incorporated with this Law the Sections and Provisions of The Lands Clauses Law, 1872, following:—

Section 15, whereby it is provided that the capital is to

be subscribed before the compulsory powers are to be put in force ;

Section 16, whereby it is provided that the certificate of the Justices shall be evidence that the capital has been subscribed ;

The Provisions relating to the entry upon lands by the promoters of the undertaking contained in Sections 59 to 65, both inclusive ;

Section 84, whereby a limit of time for the compulsory purchase of land is imposed ; or

The Provisions relating to access to the Special Law.

(b) In the construction of this Law and the said incorporated Law, this Law shall be deemed to be the Special Law, and the Colonial Secretary shall be deemed to be the Promoter of the undertaking, and the word " land " shall include any easement in or out of lands.

9—The Colonial Secretary may sell by public auction or private contract any Light, or land appertaining thereto, that appears to be no longer required as a Light, and the money arising from such sale shall be applied in aid of the General Revenue of this Island.

Power to sell lights no longer required.

10—All moneys advanced under this Law, with interest thereon at the rate aforesaid, shall be secured and paid by means and out of dues on vessels entering or calling at the harbour, port or place, for or in respect of which a Light shall be constructed or erected.

How advances and interest secured and repaid.

11—It shall be lawful for the Governor, in the case of each Light constructed, erected or maintained under this Law, by minute or order under his hand, to fix the rate of Fees to be paid by vessels entering or calling at the harbour, port or place, for or in respect of which the Light shall be erected, or by vessels benefitting by the Light, and to indicate direct and decide what vessels or classes of vessels shall be liable to such Fees, and from time to time by a like minute or order to increase or diminish any such rate, and to alter any direction or decision as to the vessels or classes of vessels liable to such rate.

Power to fix and alter Light-dues.

Collection of Light-
dues.

12—All such Fees shall be collected and received by the Chief Officer of Customs of the port at or near which the Light shall be constructed or erected, and he shall have, enjoy and exercise, all and every the powers and privileges in and about the collection and enforcement of such Fees as he now by law possesses in respect of the collection of Customs duties.

Application of
Light-dues.

13—All dues collected in respect of any Light constructed or erected under this Law shall be transmitted to the Treasurer, and shall be by him entered to the credit of the account of such Light in his books as of the day he receives the same.

Power to close or
suspend Light.

14—It shall be lawful for the Governor at any time or times, by order under his hand, to direct that any Light constructed or erected under this Law be closed or disposed of, or suspended either generally or for a specified time, and name a day for the coming into effect of such order, and thereupon on such order coming into effect in respect of any Light the Fees in respect thereof shall cease to be payable.

Publication of
Governor's orders.

15—All minutes and orders of the Governor made under Sections 4, 11 or 14, of this Law shall be published in the Jamaica Gazette within one month after the same respectively are made.



JAMAICA—LAW 18 OF 1886.

A Law to enable the suspension of certain provisions of the Immigration Laws as to applications for Immigrants.

[9th October, 1886.]

WHEREAS it is desirable to enable the Governor to suspend the Provisions of the Immigration Laws relating to applications for Immigrants, and which may be held to give proprietors of Sugar Estates any right to have such applications granted in the absence of any reasonable ground of refusal :—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—It shall be lawful for the Governor from time to time, or at any time or times, by Proclamation published in the Jamaica Gazette, to suspend, either generally or for a specific period, the operation of Sections 21 to 25, both inclusive, of the Immigration Protection and Regulation Law, 1879, and of all other Provisions of the Immigration Laws which relate to or provide for applications being made for Immigrants, and by like Proclamation, similarly published, to revoke any such suspension, or to increase or diminish the length of time during which such suspension shall be in force.

Power to suspend
Sections 21 to 25
of Law 23 of 1879.

2—Every such suspension if general shall continue in force until revoked or suspended by Proclamation, and if for a specified time shall continue in force until the expiration of that time, or of any enlargement thereof, unless earlier determined by Proclamation.

Length and determination of suspension.



JAMAICA—LAW 19 OF 1886.

A Law in aid of Naval Discipline in Colonial Waters.

[9th October, 1886.]

WHEREAS it is desirable to aid in maintaining discipline on board the vessels of Her Majesty's Navy when in or near the waters of this Island:—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows:—

1.—It shall not be lawful for any person to bring on board any of Her Majesty's ships or vessels any spirituous or fermented liquor, of any description, without the previous consent of the officer commanding the ship or vessel on board of which the same may be brought; and it shall be lawful for any officer in Her Majesty's service, or warrant or petty officer of the Navy, or non-commissioned officer of Marines, with or without seamen or persons under his command, to search any boat or vessel hovering about or approaching, or which may have hovered about or approached, any of Her Majesty's ships or vessels, and if any spirituous or fermented liquor be found on board such boat or vessel to seize such spirituous or fermented liquor, and the same shall be forfeited to Her Majesty; and if any person shall bring any spirituous or fermented liquor on board any of Her Majesty's ships or vessels without such previous consent as aforesaid, or shall approach or hover about any of Her Majesty's ships or vessels for the purpose of bringing any spirituous or fermented liquor on board the same without such previous consent, or for the purpose of giving or selling, without such previous

Preamble.

Liquor not to be brought on board Her Majesty's Vessels without Captain's consent.

Power to search boats, &c.,

and seize them.

Penalty on persons offending.

consent, spirituous or fermented liquor to men in Her Majesty's service, or of aiding or assisting any officer, seaman or marine, in Her Majesty's service to desert or improperly absent himself from his ship or vessel, every such person shall, upon a summary conviction thereof before a Justice or Justices of the Peace, forfeit and pay any sum not exceeding Ten Pounds for every such act or offence; and it shall be lawful for any officer in Her Majesty's service, or any such warrant or petty officer or non-commissioned officer as aforesaid, or for any Constable or Peace Officer, with or without any warrant or other process, to apprehend or cause to be apprehended any such offender or person so acting, and to bring him or cause him to be brought before any Justice or Justices of the Peace for the purpose of having the offender summarily convicted of the same.

Enforcement of
penalties and forfei-
tures.

2—All penalties and forfeitures incurred under this Law may be recovered with costs summarily, before any Court or Judge having summary jurisdiction in or near to the place where the offence shall be committed, or where the offender shall at any time happen to be, and whether the offence be committed within the jurisdiction of the Admiralty of England, or of the Court of Vice-Admiralty of Jamaica, or not; and if the sum imposed as a penalty, together with such costs, if any, as may be awarded by any such Court or Judge, shall not be paid either immediately after the conviction, or within such reasonable time as such Court or Judge shall at the time of conviction appoint, it shall be lawful for such Court or Judge to commit the offender or offenders to prison, there to be kept to hard labour, according to the direction of such Court or Judge, for any time not exceeding six calendar months, the commitment to be determinable upon payment of the amount of the penalty and costs.

Application of
penalties.

3—All penalties recovered under this Law shall be paid and applied, one moiety to the informer, and the other moiety to the Treasurer for the use of this Island.



Amended 7 of 1896.

JAMAICA—LAW 20 OF 1886.

The Parochial Road Law Amendment Law, 1886.

[15th October, 1886.]

WHEREAS it is expedient to make proper provision for the economical and judicious expenditure of the monies applicable to Parochial Road purposes, by the appointment of a Superintendent of Parochial Roads and Works in each Parish, and to increase the Parochial Road Fund of each Parish by applying thereto the taxes and monies collected in such Parish under and by virtue of Law 26 of 1868:—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows:—

1— From and after the passing of this Law, the Parochial Board of every Parish shall from time to time appoint a fit and proper person (who shall have obtained from the Director of Public Works a certificate that he possesses sufficient technical knowledge evidenced by past services or by diplomas, or a certificate of competency in the Form annexed to this Law,) to be the Superintendent of the highways, roads, thoroughfares, streets, lanes, aqueducts, bridges, works and buildings, under the care, management, control and superintendence, of the Parochial Board; and any person so appointed shall be termed "Superintendent of Parochial Roads and Works."

Superintendent of
Parochial Roads
and Works;—his
appointment,

S. 1

Such Superintendent shall be paid such salary as may be determined by the Board with the sanction of the Governor, one moiety of such salary to be paid by the Board out of the Parochial Road Fund of the Parish, and the other

Salary,

moiety by the Treasurer out of the Parochial Road Reserved Fund, and he shall not be dismissed except with the sanction of the Governor in Privy Council.

Suspension and
Dismissal.

Should any such Superintendent fail or neglect or refuse to perform the duties of his office, or should he in the opinion of the Board be unfit or incompetent to discharge the duties of his office, it shall be lawful for the said Board, by a minute or order, to suspend such Superintendent, and he may be removed or otherwise dealt with as the Governor in Privy Council may determine.

His status and du-
ties.

2—The Superintendent of Parochial Roads and Works appointed as aforesaid shall be the Chief Executive Officer and Adviser of the Parochial Board in relation to Parochial Roads and Works.

He shall report to the Board upon the works, repairs or alterations, required to be done on any of the roads, buildings or works, of the Parish and, when required by the Board, furnish plans, specifications and estimates, of the cost of such works, repairs or alterations; he shall, subject to the directions of the Parochial Board, carry out, or superintend and control the carrying out of, such works, repairs or alterations, as may be sanctioned by the Board; he shall examine and report upon all work done for the Board before the same shall be paid for, so that after the appointment of a Superintendent of Roads and Works in any Parish all accounts in relation to the roads and works shall be certified by the Superintendent of Roads before payment, and generally he shall do all other work in relation to the Parochial Roads and Works as may be denoted by his title of office.

The Security to be
given by him.

The Superintendent shall enter into bond for the faithful discharge of his duties, and for the true and accurate accounting for all parochial funds expended by or through him, in such sum and form as the Board shall determine.

Power to make By-
Laws.

3—The Parochial Boards shall have power to frame Rules and By-Laws for the governance and regulation of the office of Superintendent of Parochial Roads and Works.

Collections under
Law 26 of 1868 to
be credited to

4—In any Parish in which a Superintendent is appointed under this Law the Treasurer shall, in addition to the monies

directed by Section 3 of Law 29 of 1873, and by Law 11 of 1878, to be placed to the credit of the Parochial Road Fund Account of such Parish, place to the credit of such account [the taxes and monies collected on and after the first day of October, 1886, under Law 26 of 1868 in such Parish, anything in Sections 2 and 3 of Law 29 of 1873 inconsistent herewith notwithstanding.

Parochial Road
Fund.

FORM OF CERTIFICATE.

I hereby certify that Mr. _____ appears to me [from certificate or diploma (or certificates or diplomas or both) presented by him to me] or [after examination by me] to be possessed of sufficient technical knowledge and practice to be employed as a Superintendent of Parochial Roads and Works in any Parish in this Island.

JAMAICA—LAW 21 OF 1886.

The Married Women's Property Law, 1886.

ARRANGEMENT OF SECTIONS.

- 1.—Definition of words.
- 2.—Married Woman to be capable of holding Property and of contracting as a feme sole.
- 3.—Property of a Woman married after this Law to be held by her as a feme sole.
- 4.—Loans by Wife to Husband.
- 5.—Execution of general power.
- 6.—Property acquired after this Law by a Woman married before this Law to be held by her as a feme sole.
- 7.—As to stock, &c., to which a Married Woman is entitled.
- 8.—As to stock, &c., to be transferred, &c., to a Married Woman.
- 9.—Investments in joint names of Married Women and others.
- 10.—As to Stock, &c., standing in the joint names of a Married Woman and others.
- 11.—Fraudulent investments with money of Husband.
- 12.—Moneys payable under policy of assurance not to form part of estate of the insured.
- 13.—Remedies of Married Women for protection and security of separate property.
- 14.—Wife's ante-nuptial debts and liabilities.
- 15.—Husband to be liable for his Wife's debts contracted before marriage to a certain extent.
- 16.—Suits for ante-nuptial liabilities.
- 17.—Act of Wife liable to criminal proceedings.
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- 19.—Married Woman as an Executrix or Trustee.
- 20.—Saving of existing settlements and the power to make future settlements.
- 21.—Married Woman to be liable to the Parish for the maintenance of her Husband.
- 22.—Married Woman to be liable to the Parish for the maintenance of her Children.
- 23.—Repeal of Law 8 of 1879.
- 24.—Legal representative of Married Woman.
- 25.—Commencement of Law.



JAMAICA—LAW 21 OF 1886. *English Act 45 & 46 Vc. 7.*

The Married Women's Property Law, 1886.

[15th October, 1886.]

WHEREAS it is expedient to amend the Law in this Island relating to the Property of Married Women :—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—The word “Contract” in this Law shall include the acceptance of any trust, or of the office of Executrix or Administratrix ; and the Provisions of this Law as to liabilities of Married Women shall extend to all liabilities by reason of any breach of trust or devastavit committed by any Married Woman being a Trustee, or Executrix or Administratrix, either before or after her marriage, and her Husband shall not be subject to such liabilities unless he has acted or intermeddled in the trust or administration. The word “property” in this Law includes a thing in action.

Definition of words.

2—(1) A Married Woman shall, in accordance with the Provisions of this Law, be capable of acquiring holding and disposing by will or otherwise, of any real or personal property as her separate property, in the same manner as if she were a feme sole, without the intervention of any Trustee.

Married Woman to be capable of holding property and of contracting as a feme sole.

(2) A Married Woman shall be capable of entering into and rendering herself liable, in respect of and to the extent of her separate property, on any Contract, and of suing and being sued, either in contract or in tort, or otherwise, in all respects as if she were a feme sole, and her Husband need not be joined with her as Plaintiff or Defendant, or be made a party to any action or other le-

gal proceeding brought by or taken against her ; and any damages or costs recovered by her in any such action or proceeding shall be her separate property ; and any damages or costs recovered against her in any such action or proceeding shall be payable out of her separate property, and not otherwise.

(3) Every Contract entered into by a Married Woman shall be deemed to be a Contract entered into by her with respect to and to bind her separate property, unless the contrary be shown.

(4) Every Contract entered into by a Married Woman with respect to and to bind her separate property shall bind not only the separate property which she is possessed of or entitled to at the date of the Contract, but also all separate property which she may thereafter acquire.

(5) Every Married Woman carrying on a trade separately from her Husband shall, in respect of her separate property, be subject to the Bankruptcy Laws in the same way as if she were a feme sole.

Property of a Woman married after this Law to be held by her as a feme sole.

3—Every Woman who marries after the commencement of this Law shall be entitled to have and to hold as her separate property, and to dispose of in manner aforesaid, all real and personal property which shall belong to her at the time of marriage, or shall be acquired by or devolve upon her after marriage, including any wages, earnings, money and property, gained or acquired by her in any employment, trade or occupation, in which she is engaged or which she carries on separately from her Husband, or by the exercise of any literary, artistic or scientific skill.

Loans by Wife to Husband.

4—Any money or other estate of the Wife lent or entrusted by her to her Husband for the purpose of any trade or business carried on by him, or otherwise, shall be treated as assets of her Husband's estate in case of his Bankruptcy, under reservation of the Wife's claim to a dividend as a creditor for the amount or value of such money or other estate after, but not before, all claims of the other creditors of the Husband for valuable consideration in money or money's worth have been satisfied.

5—The execution of a general power by will by a Married Woman shall have the effect of making the property appointed liable for her debts and other liabilities in the same manner as her separate estate is made liable under this Law.

Execution of
general power.

6—Every Woman married before the commencement of this Law shall be entitled to have and to hold, and to dispose of in manner aforesaid as her separate property, all real and personal property her title to which, whether vested or contingent, and whether in possession, reversion or remainder, shall accrue after the commencement of this Law, including any wages, earnings, money and property, so gained or acquired by her as aforesaid.

Property acquired
after this Law by a
Woman married
before this Law to
be held by her as a
feme sole.

7—All deposits in the Government or other Savings Bank, or in any other Bank, all annuities granted by the Commissioners for the reduction of the National Debt or by any other person, and all sums forming part of the public stocks or funds of Great Britain or of this Island, or of any other stocks or funds transferable in the books of the Governor and Company of the Bank of England, or of any other bank, which at the commencement of this Law are standing in the sole name of a Married Woman, and all debentures issued under any Act or Law of this Island, and all shares, stock, debentures, debenture stock or other interests, of or in any Corporation, Company or Public Body, municipal, commercial or otherwise, or of or in any industrial, provident, friendly, benefit building or loan, Society, which at the commencement of this Law are standing in her name, shall be deemed, unless and until the contrary be shown, to be the separate property of such Married Woman; and the fact that any such deposit, annuity, sum forming part of the public stocks or funds of Great Britain or of this Island, or of any other stocks or funds transferable in the books of the Governor and Company of the Bank of England, or of any other bank, share, stock, debenture, debenture stock or other interest as aforesaid, is standing in the sole name of a Married Woman, shall be sufficient *prima facie* evidence that she is beneficially entitled thereto for her separate use, so as to authorize and empower her to receive or transfer the same, and to receive the

As to stock, &c., to
which a Married
Woman is entitled.

dividends, interest and profits thereof without the concurrence of her Husband, and to indemnify the Commissioners for the reduction of the National Debt, the Governor and Company of the Bank of England, the Governor and Company of the Bank of Ireland, the Treasurer of this Island, and all Directors, Managers and Trustees, of every such Bank, Corporation, Company, Public Body or Society as aforesaid, in respect thereof.

As to stock, &c., to be transferred, &c., to a Married Woman.

8—All sums forming part of the public stocks or funds of Great Britain or of this Island, or of any other stocks or funds transferable in the books of the Bank of England or of any other Bank, and all such deposits and annuities respectively as are mentioned in the last preceding Section, and all debentures issued under any Act or Law of this Island, and all shares, stock, debentures, debenture stock and other interests, of or in any such Corporation, Company, Public Body or Society as aforesaid, which after the commencement of this Law shall be allotted to, or placed, registered or transferred, in or into, or made to stand in the sole name of any Married Woman shall be deemed, unless and until the contrary be shown, to be her separate property in respect of which, so far as any liability may be incident thereto, her separate estate shall alone be liable, whether the same shall be so expressed in the document whereby her title to the same is created or certified, or in the books or register wherein her title is entered or recorded, or not.

Provided always that nothing in this Law shall require or authorise any Corporation or Joint Stock Company to admit any Married Woman to be a holder of any shares or stock therein to which any liability may be incident, contrary to the Provisions of any Act of Parliament, Law of this Island, charter, bye-law, articles of association or deed of settlement, regulating such Corporation or Company.

Investments in joint names of Married Women and others.

9—All the Provisions hereinbefore contained as to deposits in any Government or other Savings Bank, or in any other Bank annuities granted by the Commissioners for the reduction of the National Debt or by any other person, sums forming part of the public stocks or funds of Great Britain or of this Island, or of any other stocks or funds transferable in the

books of the Bank of England or of any other Bank, debentures issued under any Act or Law of this Island, shares, stock, debentures, debenture stock or other interests, of or in any such Corporation, Company, Public Body or Society, as aforesaid respectively, which at the commencement of this Law shall be standing in the sole name of a Married Woman, or which after that time shall be allotted to, or placed, registered or transferred to or into, or made to stand in the sole name of a Married Woman, shall respectively extend and apply, so far as relates to the estate, right, title or interest, of the Married Woman, to any of the particulars aforesaid which at the commencement of this Law, or at any time afterwards, shall be standing in, or shall be allotted to, placed, registered or transferred, to or into, or made to stand in, the name of any Married Woman jointly with any person or persons other than her Husband.

10—It shall not be necessary for the Husband of any Married Woman, in respect of her interest, to join in the transfer of any such annuity or deposit as aforesaid, or any sum forming part of the public stock or funds of Great Britain or of this Island, or of any other stocks or fund transferable as aforesaid, or any debentures issued under any Act or Law of this Island, or any share, stock, debenture, debenture stock, or other benefit, right, claim or other interest, of or in any such Corporation, Company, Public Body or Society as aforesaid, which is now or shall at any time hereafter be standing in the sole name of any Married Woman, or in the joint names of such Married Woman and any other person or persons not being her Husband.

As to stock, &c., standing in the joint names of a Married Woman and others.

11—If any investment in any such deposit or annuity as aforesaid, or in any of the public stocks or funds of Great Britain or of this Island, or in any other stocks or funds transferable as aforesaid, or in any debenture issued under any Act or Law of this Island, or in any share, stock, debenture or debenture stock, of any Corporation, Company or Public Body, municipal, commercial or otherwise, or in any share, debenture, benefit, right or claim, whatsoever in to or upon the funds of any industrial, provident, friendly, benefit building or loan, Society, shall have been made by a Married Woman by

Fraudulent investments with money of Husband.

means of moneys of her Husband, without his consent, the Court may, upon an application under Section 18 of this Law, order such investment, and the dividends thereof, or any part thereof to be transferred and paid respectively to the Husband, and nothing in this Law contained shall give validity, as against creditors of the Husband, to any gift by a Husband to his Wife of any property which after such gifts shall continue to be in the order and disposition or reputed ownership of the Husband, or to any deposit or other investment of moneys of the Husband made by or in the name of his Wife in fraud of his creditors, but any moneys so deposited or invested may be followed as if this Law had not passed.

Moneys payable under policy of Assurance not to form part of the Estate of the insured.

12—A Married Woman may, by virtue of the power of making Contracts herein before contained, effect a policy upon her own life or the life of her Husband for her separate use; and the same and all benefit thereof shall enure accordingly.

A policy of assurance effected by any Man on his own life, and expressed to be for the benefit of his Wife, or of his children, or of his Wife and children, or any of them, or by any Woman on her own life, and expressed to be for the benefit of her Husband, or of her children, or of her Husband and children, or any of them, shall create a trust in favour of the objects therein named; and the moneys payable under any such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debts:—Provided that if it shall be proved that the policy was effected, and the premiums paid, with intent to defraud the creditors of the insured, they shall be entitled to receive, out of the moneys payable under the policy, a sum equal to the premiums so paid.

The insured may by the policy, or by any memorandum under his or her hand, appoint a Trustee or Trustees of the moneys payable under the policy, and from time to time appoint a new Trustee or new Trustees thereof, and may make provision for the appointment of a new Trustee or new Trustees thereof, and for the investment of the moneys payable under any such policy.

In default of any such appointment of a Trustee such policy,

immediately on its being effected, shall vest in the insured, and his or her legal personal representatives, in trust for the purposes aforesaid.

If at the time of the death of the insured, or at any time afterwards, there shall be no Trustee, or it shall be expedient to appoint a new Trustee or new Trustees, a Trustee or Trustees, or a new Trustee or new Trustees, may be appointed by the Supreme Court of Judicature of Jamaica. The receipt of a Trustee or Trustees duly appointed, or, in default of notice to the insurance office, the receipt of the legal personal representative of the insured, shall be a discharge to the office for the sum secured by the policy, or for the value thereof, in whole or in part.

13—Every Woman, whether married before or after this Law, shall have in her own name, against all persons whomsoever, including her Husband, the same civil remedies, and also (subject as regards her Husband to the Proviso hereinafter contained) the same remedies and redress by way of criminal proceedings, for the protection and security of her own separate property, as if such property belonged to her as a feme sole, but, except as aforesaid, no Husband or Wife shall be entitled to sue the other for a tort.

Remedies of Married Woman for protection and security of separate property.

In any indictment or other proceeding under this Section it shall be sufficient to allege such property to be her property; and in any proceeding under this Section a Husband or Wife shall be competent to give evidence against each other, any Statute or rule of law to the contrary notwithstanding:—Provided always, that no criminal proceeding shall be taken by any Wife against her Husband by virtue of this Law while they are living together as to or concerning any property claimed by her, nor while they are living apart as to or concerning any act, done by the Husband while they were living together, concerning property claimed by the Wife, unless such property shall have been wrongfully taken by the Husband when leaving or deserting, or about to leave or desert, his Wife.

14—A Woman after her marriage shall continue to be liable in respect and to the extent of her separate property for all debts contracted, and all Contracts entered into or wrongs com-

Wife's ante-nuptial debts and liabilities.

mitted, by her before her marriage, including any sums for which she may be liable as a contributory, either before or after she has been placed on the list of contributories, under and by virtue of any Acts or Laws relating to Joint Stock Companies; and she may be sued for any such debt, and for any liability in damages or otherwise under any such Contract, or in respect of any such wrong; and all sums recovered against her in respect thereof, or for any costs relating thereto, shall be payable out of her separate property; and, as between her and her Husband, unless there be any contract between them to the contrary, her separate property shall be deemed to be primarily liable for all such debts, contracts or wrongs, and for all damages or costs recovered in respect thereof:—Provided always that nothing in this Law shall operate to increase or diminish the liability of any Woman married before the commencement of this Law for any such debt, contract or wrong, as aforesaid, except as to any separate property to which she may become entitled by virtue of this Law, and to which she would not have been entitled for her separate use under the Law hereby repealed, or otherwise, if this Law had not passed.

Husband to be liable for his Wife's debts contracted before marriage to a certain extent.

15—A Husband shall be liable for the debts of his Wife contracted, and for all contracts entered into and wrongs committed, by her before marriage, including any liabilities to which she may be so subject under any Acts or Laws relating to Joint Stock Companies as aforesaid, to the extent of all property whatsoever belonging to his Wife which he shall have acquired or become entitled to from or through his Wife, after deducting therefrom any payments made by him, and any sums for which judgment may have been bonâ fide recovered against him in any proceeding at law in respect of any such debts, contracts or wrongs, for or in respect of which his Wife was liable before her marriage as aforesaid; but he shall not be liable for the same any further or otherwise; and any Court in which a Husband shall be sued for any such debt shall have power to direct any inquiry or proceedings which it may think proper for the purpose of ascertaining the nature, amount or value, of such property:—Provided always that nothing in this Law contained shall operate to increase or diminish the liability of any Husband married before the commencement of this Law for or in

respect of any such debt or other liability of his Wife as aforesaid.

16—A Husband and Wife may be jointly sued in respect of any such debt or other liability (whether by contract or for any wrong) contracted or incurred by the Wife before marriage as aforesaid, if the Plaintiff in the action shall seek to establish his claim, either wholly or in part, against both of them; and if in any such action, or in any action brought in respect of any such debt or liability against the Husband alone, it is not found that the Husband is liable in respect of any property of the Wife so acquired by him, or to which he shall have become so entitled as aforesaid, he shall have judgment for his costs of defence, whatever may be the result of the action against the Wife if jointly sued with him; and in any such action against Husband and Wife jointly, if it appears that the Husband is liable for the debt or damages recovered, or any part thereof, the judgment, to the extent of the amount for which the Husband is liable, shall be a joint judgment against the Husband personally, and against the Wife as to her separate property, and as to the residue, if any, of such debt and damages, the judgment shall be a separate judgment against the Wife as to her separate property only.

Suits for ante-nuptial liabilities.

17—A Wife doing any act with respect to any property of her Husband, which if done by the Husband with respect to property of the Wife would make the Husband liable to criminal proceedings by the Wife under this Law, shall in like manner be liable to criminal proceedings by her Husband.

Acts of Wife liable to criminal proceedings.

See Law 22 of 1889
if Wife can be summoned

18—In any question between Husband and Wife as to the title to or possession of property, either party, or any such Bank, Corporation, Company, Public Body or Society, as aforesaid in whose books any stocks, funds or shares, of either party are standing, may apply by summons or otherwise in a summary way to any Judge of the Supreme Court of Judicature of Jamaica, or (at the option of the applicant irrespectively of the value of the property in dispute) to the Judge of the District Court of the District in which either party resides; and the Judge of the Supreme Court of Judicature or the Judge of the District Court (as the case may be) may make such order with respect to the property in dispute, and as to the costs

Questions between Husband and Wife as to property to be decided in a summary way.

of and consequent on the application, as he thinks fit, or may direct such application to stand over from time to time, and any inquiry touching the matters in question to be made in such manner as he shall think fit:—Provided always that any order of a Judge of the Supreme Court of Judicature aforesaid to be made under the Provisions of this Section shall be subject to Appeal in the same way as an order made by the same Judge in a suit pending, or on an equitable proceeding in the said Court, would be; and any order of a Judge of any District Court under the Provisions of this Section shall be subject to appeal in the same way as any other order made by the same Judge would be; and all proceedings in the Court of a District Court Judge under this Section in which, by reason of the value of the property in dispute, such Court would not have had jurisdiction if this Law had not passed, may, at the option of the Defendant or Respondent to such proceedings, be removed as of right into the Supreme Court of Judicature aforesaid by writ of certiorari, or otherwise as may be prescribed by any Rule of such Supreme Court; but any order made or act done in the course of such proceedings prior to such removal shall be valid, unless order shall be made to the contrary by such Supreme Court:—Provided also that the Judge of the Supreme Court of Judicature aforesaid or the Judge of the District Court, if either party so require, may hear any such application in Chambers:—Provided also that any such Bank, Corporation, Company, Public Body or Society as aforesaid, shall, in the matter of any such application, for the purposes of costs or otherwise be treated as a stakeholder only.

**Married Woman as
an Executrix or
Trustee.**

19—A Married Woman who is an Executrix or Administratrix, alone or jointly with any other person or persons, of the estate of any deceased person, or a Trustee alone or jointly as aforesaid of property subject to any trust, may sue or be sued, and may transfer or join in transferring any such annuity or deposit as aforesaid, or any sum forming part of the public stocks or funds of Great Britain and this Island, or of any other stocks or funds transferable as aforesaid, or any debentures issued under any Act or Law of this Island, or any share, stock, debenture, debenture stock or other benefit, right, claim or

other interest, of or in any such Corporation, Company, Public Body or Society, in that character, without her Husband, as if she were a feme sole.

20—Nothing in this Law contained shall interfere with or affect any settlement or agreement for a settlement made or to be made, whether before or after marriage, respecting the property of any Married Woman, or shall interfere with or render inoperative any restriction against anticipation at present attached, or to be hereafter attached, to the enjoyment of any property or income by a Woman under any settlement, agreement for a settlement, will or other instrument; but no restriction against anticipation contained in any settlement or agreement for a settlement of a Woman's own property, to be made or entered into by herself, shall have any validity against debts contracted by her before marriage; and no settlement or agreement for a settlement shall have any greater force or validity against creditors of such Woman than a like settlement or agreement for a settlement made or entered into by a Man would have against his creditors.

Saving of existing settlements and the power to make future settlements.

21—Where the Husband of any Woman having separate property becomes chargeable to any Parish, the Justices having jurisdiction in such Parish may, in Petty Sessions assembled, upon application of the Inspectors of the Poor, issue a summons against the Wife, and make and enforce such order against her for the maintenance of her Husband out of such separate property as by the Maintenance Law, 1881, they may now make and enforce against a Husband the maintenance of his Wife if she becomes chargeable to any Parish.

Married Woman to be liable to the Parish for the maintenance of her Husband.

22—A Married Woman having separate property shall be subject to all such liability for the maintenance of her children and grand children as the Husband is now by Law subject to for the maintenance of her children and grand children:—Provided always that nothing in this Law shall relieve her Husband from any liability imposed upon him by Law to maintain her children or grand children.

Married Woman to be liable to the Parish for the maintenance of her children.

23—The Married Woman's Property Law, 1879 is hereby repealed:—Provided that such repeal shall not affect any act done or right acquired while such Law was in force, or any

Repeal of Law 8 of 1879.

right or liability of any Husband or Wife, married before the commencement of this Law, to sue or be sued under the Provisions of the said repealed Law for or in respect of any debt, contract, wrong or other matter or thing whatsoever, for or in respect of which any such right or liability shall have accrued to or against such Husband or Wife before the commencement of this Law.

Legal representative of Married Woman.

24—For the purposes of this Law the legal personal representative of any Married Woman shall, in respect of her separate estate, have the same rights and liabilities, and be subject to the same jurisdiction, as she would be if she were living.

Commencement of Law.

25—This Law shall come into operation on the first day of January, 1887.



Unincorporated Law 39 of 1893.

JAMAICA—LAW 22 OF 1886.

The Franchise Enlargement Law, 1886.

[15th October, 1886.]

WHEREAS it is desirable to enlarge the Franchise :—
Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

Preamble.

1—Law 20 of 1884, and Sections 2, 5, 7 and 15, and the second clause of Section 4 of Law 9 of 1886, are hereby repealed :—Provided that such repeal shall not affect the validity, effect or consequences, of anything already done or suffered, or any existing status or capacity already acquired or accrued thereunder.

Repealing clause.

2—In this Law the word “taxes” includes “rates,” and means any public or parochial rates or taxes.

Definition.

3—Every male person shall be entitled to be registered in any year as a Voter for a Division of a Parish who is qualified as follows, that is to say,—

Qualifications of Voters.

- (1.) Has attained the age of twenty-one years,
- (2.) Is under no legal incapacity,
- (3.) Is a British subject by birth or naturalization,
- (4.) Either,
 - (a) is on the 31st day of May in such year, and has since the 1st day of August then preceding been, an occupier as owner or tenant of a dwelling house within such Parish capable of being, during such occupation, rated in respect of all poor rates, and has during the said period paid taxes to the amount of not less than ten shillings,

- (b) is on the 31st day of May in such year possessed of property in respect of which he has, since the preceding first day of August, paid within such Parish taxes to the amount of not less than one pound and ten shillings, and ordinarily resides within such Division of such Parish, or
- (c) is, in the Parish in which he claims to vote, in the receipt of an annual salary of £50 and upwards:—

Provided—

- (1.) That no person shall be registered as a Voter who has been sentenced, by any Court in Her Majesty's Dominions, to death or penal servitude, or imprisonment with hard labour, or for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced, or such other punishment as by competent authority may have been substituted for the same, or received a free pardon from Her Majesty;
- (2.) That no person shall be registered as a Voter in any year who has, since the preceding first day of August, received any relief from public or parochial funds.

Persons entitled to
be registered as
Voters without
Claim on their part.

4—Every person whose name has been settled in any year on the Register of any Parish as a Voter on a taxpaying qualification for one of the Divisions thereof shall, subject to the Provisions of this Law, be entitled in the succeeding year, provided he continues to be similarly qualified as a Voter for a Division of such Parish, to have his name again inserted on such Register as a Voter for such Division without any Claim on his part.

And every person who in any year has, as the occupier of a house in any Division of a Parish, paid taxes to the amount of not less than ten shillings, or has otherwise paid taxes to the amount of not less than one pound ten shillings, and is otherwise qualified in accordance with the last preceding Section, shall, subject to the Provisions of this Law, be entitled to have his name inserted on such Register as a Voter for the Division of such Parish in which he possesses the requisite qualification without any Claim on his part.

Repealed 37 of 1893. s. 1.

5—Any person not entitled to have his name inserted without Claim on his part on any Register of Voters shall, if he desires to have his name inserted at the next Registration without his having to attend before the Revising Judge to prove his Claim, at any time after the 1st day of March and on or before the 31st day of May in any year, send or deliver, to the Collector of Taxes for the Parish in which he claims to be registered as a Voter, a notice of Claim, claiming to have his name registered as a Voter.

Claim to be registered as a Voter.

Such notice may be sent to the Collector as aforesaid after the 31st day of May and up to the 9th day of July in any year; but in cases where it is sent in after the 31st day of May the Claimant or his Agent will have to establish his Claim before the Revising Judge in manner hereinafter provided. No such notice shall be received after the 9th day of July aforesaid.

Time limit for sending in Claim.

Such notice shall be in the Form given in Schedule A, Part I, and all the particulars indicated by the said Form shall be given, and when any such notice is given by a person claiming to vote only on a salary qualification it shall be accompanied by a Certificate from his employer in the Form given in Schedule A, Part II.

Form of Claim. Schedule A.

Such Claim shall be taken to all intents and purposes to be a Claim to be registered both as an Elector for the Electoral District constituted by the Parish, or of which the same forms part, and as an Elector for a Division of the Parish.

Every employer or other person who shall falsely sign such a Certificate shall, on conviction before a Court of Summary Jurisdiction, be liable to a fine of not less than £10 or more than £50, and to imprisonment not exceeding three months if not earlier paid.

6—Every Claim to be registered as a Voter in any Parish or District shall be signed by the Claimant in his own handwriting or by his mark, and in the case of his putting his mark the same shall be countersigned by the Collector of Taxes or by a Justice of the Peace, in whose presence the Claimant shall make his mark.

How Claim to be signed.

Repealed. 39/93. n. 1.

Daily Record Book of persons presumptively entitled to be registered.

7—Each Collector of Taxes shall be provided with, and shall keep in his office, a book alphabetically arranged, in which he shall in each year enter, under the initial letter of their respective surnames, the names of all male persons apparently of the age of twenty-one years or upwards, and being reputedly British subjects and not under any incapacity or disqualification, who in his Parish

- (a) as occupiers of a dwelling house in such Parish pay taxes to the amount of not less than ten shillings, or
- (b) otherwise pay taxes to the amount of not less than one pound ten shillings, or
- (c) establish to his satisfaction Claims to vote on their annual salary,

and against each such name the Collector shall add such particulars as will enable him to prepare the Lists required to be prepared in accordance with Sections 12, 13 and 19, of Law 9 of 1886.

Daily Record of Taxpayers not entitled to vote in Parishes forming part of an Electoral District.

In cases in which the Electoral District comprises more than one Parish, the Collector shall keep a separate List of the names of persons paying taxes to an amount not entitling them to a Vote for any Division of a Parish.

The name of each taxpayer shall be so entered in such book when he pays his taxes, and the name of each Claimant to vote on a salary qualification when such Claim is duly made.

Communications to other Parish of such Electoral District of particulars as to such Taxpayers.

As regards persons paying taxes to an amount not entitling them to vote for any Division of a Parish which forms only part of an Electoral District, the Collector of such Parish shall, on or after the 1st day of June in each year, communicate to the Collector of the other Parish, forming with the Parish first named an Electoral District, particulars respecting any partial qualification to be registered as a Voter for the District which such person may have gained by payment of taxes, or otherwise, within the first named Parish.

The book aforesaid shall at all times be open to inspection to any person entitled to be registered as a Voter within the Parish.

Power to Revising Judge to amend Register.

8—A Revising Judge shall have power to make all necessary amendments to the Register, and to add any names which it

appears to him were inadvertently omitted by the Officer who prepared such Register, and to strike out any name which it may appear to him was inadvertently put on such List by the said Officer.

SCHEDULE A.—PART I.

FORM OF CLAIM.

To the Collector of Taxes for the Parish of

Sir,

I hereby Claim to have my name inserted, at the next making up of the Register of Voters for the Parish of _____, as a Voter for the Division of _____ in the said Parish at the election of Members of the Parochial Board for such Division, and as a Voter for the Electoral District of _____ at the election of a Member of the Legislative Council for the same.

My qualification is as under :—

Christian Name and Surname in full.

Age.

Place of Residence.

Postal Address.

Calling or Occupation.

Nature of Qualification.

And I hereby declare that the above particulars respecting my said Claim are true to the best of my knowledge and belief.

Dated this _____ day of _____ 18 ____.

(Signed) A.B.

This is to Certify that the above A. B. with his own hand subscribed his name to this Claim, and wrote thereon the date of such subscription, (*Or in case the Claimant cannot write signed his mark.*)

(Signed) C. D.,

Justice of the Peace or Collector of Taxes.

SCHEDULE A.—PART II.

I A.B. of &c., (Merchant) (*or as the case may be*) do hereby Certify that C.D. of &c., is in my employment as _____, and has been so for twelve months and upwards last past at an annual salary of [*or exceeding*] fifty pounds.

Given under my hand this _____ day of _____ 18 ____.



JAMAICA—LAW 23 OF 1886.

The Incorporated Companies and Societies Law, 1886.

[22nd October, 1886.]

WHEREAS it is expedient to amend the Acts relating to Friendly Societies, and Building or Benefit Building Societies, and to provide a system of registration of such Societies, and also of Incorporated Trading Companies, and to make better provision for the publication of the statements of affairs periodically required to be made by such Societies and Companies, and also to provide a means of having, as occasion may arise, an inspection of the affairs of any such Society or Company :—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—The Deputy Keeper of the Records shall keep, in the Record Office, a Register of all Companies incorporated under the Provisions of the Act 27 Victoria, Session 2, Chapter 4, and of all Friendly Societies established under the Provisions of the Act 6 Victoria, Chapter 27, and of all Building Societies or Benefit Building Societies established under the Provisions of the Act 28 Victoria, Chapter 17.

Register of Companies and Societies in the Island Record Office.

Such Register shall always be open to public inspection on payment of such fee as may be fixed from time to time by any Rule made under Section 15 of the Island Records Law, 1879.

Particulars to be entered on such Register.

2—It shall be the duty of the said Deputy Keeper of the Records to enter on such Register the name and place of business of every Company or Society incorporated or established under either of the said Acts, and in case any such Society or Company shall be dissolved the Deputy Keeper of the Records shall strike the name of such Society or Company off the Register aforesaid.

After the expiration of twelve months from the passing of this Law, the fact that any Friendly Society is established under the Provisions of the Act 6 Victoria, Chapter 27, or is entitled to the benefits of the said Act, or that any Building Society or Benefit Building Society is a Building Society or Benefit Building Society within the meaning of the Act 28 Victoria, Chapter 17, or that any Company is incorporated under the Act 27 Victoria, Session 2, Chapter 4, shall be proveable in any Court of Law only in manner provided by this Law.

Powers and duties, &c., of Barristers appointed to certify the Rules of Savings Banks, assigned to the Attorney General.

3—In amendment of the Act 6 Victoria, Chapter 27, and the Act 28 Victoria, Chapter 17, it is hereby enacted that the duties, powers, functions and rights, by the said Acts respectively assigned to “the Barrister-at-Law for the time being appointed to certify the Rules of Savings Banks” are hereby assigned to the Attorney General:—Provided always that the Returns required by Section 36 of the Act 6 Victoria, Chapter 27, to be transmitted to the Barrister aforesaid shall be transmitted, not to the Attorney General but to the Deputy Keeper of the Records, and the duty required to be performed by the said Barrister under Section 37 of the said Act shall be performed, not by the Attorney General but by the Deputy Keeper of the Records aforesaid.

Transcripts of Rules and Regulations to be filed in Record Office.

4—In further amendment of the said Acts of 6 Victoria, Chapter 27, and of the 28 Victoria, Chapter 17, it is enacted that the second transcript of Rules and Regulations, when certified by the Attorney General, shall no longer be sent by him to the Officers in the said Acts respectively mentioned, but shall be sent to the Deputy Keeper of the Records, and shall be filed and preserved in the Record Office.

And the receipt of such certified transcript shall be an authority to the Deputy Keeper of the Records to register such Society by entering its name in the Register Book aforesaid, (if such Society is not already registered,) and thereupon such Society shall be deemed to be a duly enrolled Friendly Society under the Act 6 Victoria, Chapter 27, or a Building Society or Benefit Building Society within the meaning of the Act 28 Victoria, Chapter 17, to all intents and purposes; and the several Rules and Regulations, and alterations and amendments thereof, certified, transmitted and filed, as aforesaid shall be, from the time of the filing thereof, the Rules and Regulations of the Society to which they relate until they shall be duly rescinded, annulled or altered, and shall be binding on the several members and officers of the said Society, the contributors and subscribers thereto, and all other persons having interest therein, and on their representatives, as if they had been confirmed under one or other of the said Acts.

Effect thereof.

When any such Rules or Regulations, or alterations or amendments thereof, shall have been certified as aforesaid, it shall no longer be necessary to submit the same to any Justices or Judge for confirmation (as required by the said Acts respectively), but the same shall be to all intents and purposes as valid and effectual as if they had been so confirmed:—

Certificate need not be confirmed.

Provided always that in case the Attorney General shall refuse to certify any Rules or Regulations, or alterations or amendments thereof, it shall then be lawful for the persons or Society desirous of having the same certified to submit the same to one of the Judges of the Supreme Court, together with the reasons in writing of the Attorney General for his said refusal, (which reasons the Attorney General is hereby required on demand to give;) and thereupon such Judge shall and may, if he thinks fit, confirm and allow the said Rules or Regulations, alterations or amendments, notwithstanding the refusal of the Attorney General to certify the same; and thereupon the said Judge shall cause one transcript of the said Rules or Regulations, alterations or amendments, to be sent to the Deputy Keeper of the Records and the other to the Society, and on such Rules or Regulations, alterations or amendments,

Procedure where the Attorney General refuses to certify.

being confirmed and allowed by the Judge as aforesaid, the same consequences shall ensue as if the same had been certified by the Attorney General.

Proof of Registry
and of Rules and
Regulations of So-
cieties.

5—The production of a copy of the Rules and Regulations of any Friendly or Benefit Building or Building Society certified as hereinafter provided, or a Certificate under the hand of the Deputy Keeper of the Records that any such Society is registered under this Law, shall be conclusive evidence that such Society was at the date of the Certificate duly established—if a Friendly Society, under 6 Victoria, Chapter 27,—if a Building or Benefit Building Society, under 28 Victoria, Chapter 17,—and shall be presumptive evidence of such due establishment at the time of the production of the same.

The Rules and Regulations, and alterations or amendments thereof, of any Friendly Society, Building Society or Benefit Building Society, may be proved in any Court of this Island by production of a copy of the transcript of the same, certified as aforesaid and filed in the Record Office, provided that such copy purport to be certified to be a true copy of the said Rules and Regulations as they stand at the time, under the hand of the Deputy Keeper of the Records, and to be sealed with the seal of the office.

There shall be paid for any such Certificate such fee as may be fixed from time to time under the Island Records Law, 1879.

Transfer to the Re-
cord Office of exist-
ing certified tran-
scripts.

6—The several officers who have in their custody or possession, or filed in their respective offices, any certified transcripts of the Rules and Regulations, or alterations or amendments thereof, of any Friendly Building or Benefit Building Society that have been heretofore sent to them or their predecessors respectively under the Provisions of one or other of the said Acts, shall no longer be entitled to retain the same in their custody or possession, or filed in their offices respectively, but shall forthwith after the passing of this Law transmit the same to the Deputy Keeper of the Records, who shall file and preserve the same in the Record Office.

7—A copy of the general statement of the funds and effects of or belonging to any Friendly Society, (required to be made once in every year at least by every such Society by Section 34 of the Act 6 Victoria, Chapter 27,) and of every general statement of the funds and effects of or belonging to every Building Society or Benefit Building Society established under the Provisions of the Act 28 Victoria, Chapter 17, made under and in pursuance of Section 7 of the said Act, and of every periodical statement made by any limited Banking Company, and every Insurance Company, and Deposit Provident or Benefit Society, established under the Act 27 Victoria, Session 2, Chapter 4, and made in pursuance of Section 32 of the said Act, shall in each case be sent, within fourteen days of the making of the same, by the President or other Principal Officer of every such Company or Society, to the Deputy Keeper of the Records for publication under this Law.

Annual Statements of Societies and Companies to be sent to the Deputy Keeper of the Records.

If default shall be made by any Company or Society aforesaid in compliance with the Provisions of this Section of this Law, the President or other Principal Officer of the Company or Society guilty of such default shall, for every day during which such default continues, forfeit and pay any sum not exceeding twenty shillings.

Penalty for default.

8—The President or other Principal Officer of any Friendly Society, Building Society or Benefit Building Society, as aforesaid that shall fail or neglect to make a general statement of the funds and effects belonging to it, in compliance with the terms of the Act aforesaid applicable to such Society, within twelve calendar months of its formation or establishment, or of the making of any former general statement as aforesaid shall, for every day during which such default continues, forfeit and pay any sum not exceeding twenty shillings.

Penalty on Principal Officer of Society not making the required General Statement.

9—In any prosecution under this Law, an affidavit by the Deputy Keeper of the Records made before any Justice of the Peace, (and every such Justice is hereby empowered in any such case to administer an oath,) to the effect that he has not received any statement as aforesaid, shall be *prima facie* proof that such statement has not been sent to him under the terms of this Law.

Proof of omission to send in Statement.

Publication of
Statements.

10—The Deputy Keeper of the Records shall from time to time, at such time or times in each year, and in such form, as shall be directed by the Governor, publish in the Jamaica Gazette copies of the statements sent to him under the Provisions of this Law.

Prosecution for
penalties.

11—It shall be the duty of the Deputy Keeper of the Records to institute proceedings for penalties incurred under this Law, and under Section 32 of the Act 27 Victoria, Session 2, Chapter 4:—Provided always that with the consent of the Attorney General he may in any case forego or abandon any prosecution.

Before what tribu-
nal proceedings
to be instituted.

12—All proceedings under this Law shall be had and taken before a District Court Judge or any two Justices of the Peace, and whenever proceedings shall be instituted by the Deputy Keeper of the Records the process shall be free of Stamp Duty.

Appointment of
Inspectors to re-
port on affairs of
Companies.

13—It shall be lawful for the Supreme Court to appoint one or more competent Inspectors to examine into the affairs of any Company incorporated under the Act 27 Victoria, Session 2, Chapter 4, and to report thereon, in such manner as the Court may direct, upon the applications following (that is to say):—

1. In the case of a Banking Company that has a capital divided into shares,—upon the application of members holding not less than one-third part of the whole shares of the Company for the time being issued:—
2. In the case of any other Company that has a capital divided into shares,—upon the application of members holding not less than one-fifth part of the whole shares of the Company for the time being issued:—
3. In the case of a Company not having a capital divided into shares,—upon the application of members, being in number not less than one-fifth of the whole number of persons for the time being entered on the Register of the Company as members.

14—It shall be lawful for any Judge of the Supreme Court, on the application of any seven or more shareholders or members of any Friendly or Building or Benefit Building Society carrying on business in this Island, who may satisfy the said Judge by affidavit and viva voce examination that such applicants have a bona fide interest in the said Society, and that the applicants

Power to order inquiry into affairs of Friendly, Building and Benefit Building Societies.

- (a) have good reason for believing that the funds of the said Society have not been applied, or
- (b) are not being applied, in accordance with the Act under which the Society was incorporated, or
- (c) that the Rules or By-laws relating to the funds of the said Society have been and continue to be knowingly infringed by the Directors or other Officers of the said Society, to the possible detriment of the shareholders or members of the Society, or
- (d) that the statement of the affairs of the Society last issued is not a just and true statement of the affairs of the said Society,

to issue an order calling upon such Society to show cause why one or more competent Inspectors should not be appointed to examine into the affairs of any such Society, and to report thereon in such manner as the said Judge may direct, and on failure to show cause at the time appointed an Inspector or Inspectors shall be appointed:—

Provided always that the Judge may require the applicants first to satisfy him, in such manner as may seem best to him, that their conduct is actuated by no personal or malicious motive, but that their application is for the interest of the shareholders or members of the said Society; and he may further require the applicants to give security for payment of costs of the inquiry before appointing any Inspector or Inspectors:—Provided that in the case of any Society consisting of less than 21 members, no such application shall be made except by not less than one-third of the number of shareholders or members, or by any number of shareholders or members possessing one-fifth of the shares or funds.

Ultimate proceeding upon Report.

15—In the event of the Court refusing such appointment, costs shall be granted to the Directors as between Solicitor and client, and in the event of the Court finding from the report of the Inspector that the Society is insolvent, or that by its management the property and funds of its shareholders are in danger, the Judge of the said Court may call on the said Society to show cause why a winding-up order should not be made against it.

Powers of Inspectors.

16—It shall be the duty of all Officers and Agents of the Company or Society to produce, for the examination of the Inspectors, all books and documents in their custody or power; any Inspector may examine upon oath the Officers and Agents of the Company or Society in relation to its business, and may administer such oath accordingly; if any Officer or Agent refuses or neglects to produce any book or document hereby directed to be produced, or to answer any question relating to the affairs of the Company or Society, he shall incur a penalty not exceeding twenty pounds in respect of each such offence.

Report of Inspectors.

17—Upon the conclusion of the examination, the Inspectors shall report their opinions to the Court.

Filing same.

Such Report shall be filed by the Registrar of the Court, and be open to public inspection.

Payment of costs thereof.

All expenses of and incidental to any such examination and Report shall be defrayed by the members upon whose application the Inspectors were appointed, unless the Court shall direct the same to be paid out of the assets of the Company or Society, which it is hereby authorised to do.

Inspection by Resolution of the Company.

18—Any Company or Society as aforesaid may, by special Resolution, appoint Inspectors for the purpose of examining into the affairs of such Company or Society; the Inspectors so appointed shall have the same powers and perform the same duties as Inspectors appointed by the Court, with this exception, that instead of making their report to the Court, they shall make the same in such manner and to such persons as the Company or Society in General Meeting directs; and the Officers and Agents of the Company or Society shall incur

the same penalties in case of any refusal or neglect to produce any book or document hereby required to be produced to such Inspectors, or to answer any question, as they would have incurred if such Inspector had been appointed by the Court.

19—The Report of any Inspectors appointed under this Law, or any copy thereof certified and signed by the Inspectors, shall be admissible, in any legal proceeding, as evidence of the opinion of the Inspectors in relation to any matter contained in such Report.

Inspectors' Report
admissible as
evidence.



JAMAICA—LAW 24 OF 1886.

The Appropriation Law, 1886-87.

[22nd October, 1886.]

WHEREAS of the amount of five hundred thousand, two hundred and twenty one pounds, four shillings and eleven pence, required for the service of the Civil Government of this Island and for other purposes for the Financial Year to end on the 30th day of September, one thousand eight hundred and eighty seven, the sum of one hundred and seventy two thousand, and sixty pounds, two shillings and ten pence, has been provided for by Law, and it is now requisite to make a further provision of three hundred and twenty eight thousand, one hundred and sixty one pounds, two shillings and one penny :—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—The Treasurer of the Island shall, on the warrant of the Governor, pay a sum not exceeding in the aggregate three hundred and twenty eight thousand one hundred and sixty one pounds, two shillings and one penny, for defraying the several charges and expenses of the Civil Government of this Island and for other purposes for the Financial Year to end on the thirtieth day of September, one thousand eight hundred and eighty seven, set forth in the Schedule to this Law annexed.

Payment of
£328,161 2s. 1d. on
Scheduled Services
authorized.

SCHEDULE TO APPROPRIATION LAW.

		£	s.	d.
Administrative Departments	...	19,719	5	6
Revenue Departments	...	32,161	7	6
Postal Service	...	19,191	8	10
Telegraphs	...	3,987	14	11
Judicial	...	21,719	16	0
Medical	...	43,749	18	0
Constabulary	...	48,894	4	0
Prisons	...	18,814	0	0
Education	...	32,030	10	0
Harbours and Pilotage	...	263	7	6
Military	...	4,510	0	0
Steam Communication round Island	...	2,000	0	0
Subsidy to West India and Panama Telegraph Company	...	2,000	0	0
Printing and Stationery Establishment	...	5,739	16	0
Institute of Jamaica	...	995	18	0
Public Gardens and Plantations	...	4,702	0	0
Jamaica Railway	...	24,381	0	0
Miscellaneous	...	4,269	4	0
Public Works	...	39,031	11	10
Total	...	£328,161	2	1



JAMAICA—LAW 25 OF 1886.

The Kingston Assessment Laws Amendment Law, 1886.

[22nd October, 1886.]

WHEREAS no provision is made for payment out of any fund or funds of the expenses to be incurred in or about any future Assessment or Re-assessment of household property in the Parish of Kingston :— Preamble.

And Whereas the expenses hitherto incurred in respect of Assessments and Re-assessments under Laws 20 of 1881 and 34 of 1882 amount to the sum of £1,044 2s. 6d., and have been charged against and paid out of The Kingston Streets Account, 1883, opened and kept under the authority of Law 4 of 1883 :—

And Whereas the Assessment Rolls, made up and returned under the Kingston Assessment and Street Survey Laws 20 of 1881 and 34 of 1882, form the basis of the Water Rates collected by the Kingston and Liguanea Water Works Commissioners, and it has been agreed that the said Commissioners should bear and pay one moiety of the expenses, as well in respect of the Assessments and Re-assessments already made as of all future Assessments and Re-assessments under the said Laws :—

And Whereas in respect of such liability the Commissioners ought to be entitled to the appointment of one Assessor :—

And Whereas it is desirable to render the General Assessments less frequent, and otherwise to amend the said Laws

[CH. 25.] *The Kingston Assessment Laws Amendment Law, 1886.*

with a view to more efficient and satisfactory Assessments, and more complete Assessment Rolls:—

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows:—

Incorporation of
Laws and short
title.

1—This Law and Laws 20 of 1881 and 34 of 1882 shall be taken and read together as one Law, and may be cited as “The Kingston Assessment Laws, 1881-86.”

Interpretation
clause.

2—In the construction of the said Laws and of this Law, unless the context requires a different construction,—

“The Municipal Board” shall include the Mayor and Council of Kingston,

“The Commissioners” means the Kingston and Liguanea Water Works Commissioners,

“The Assessors” and “Any Assessor” shall from and after the 1st day of April, 1888, include the Assessors appointed under Section 4 of this Law,

“Assessment” includes Re-assessment.

Amendment of
Law 20 of 1881 and
Law 34 of 1882.

3—Section 1 of Law 20 of 1881 is hereby amended by omitting the words “city and” in the interpretation of the expression “house property.”

Section 3 of the same Law is also hereby amended by omitting the words “and in each fifth year thereafter,” and Section 9 of the same Law and Section 7 of Law 34 of 1882 are also amended by omitting the words “quintennial” and “quinquennial” whenever they occur, and substituting the word “septennial.”

Section 11 of Law 20 of 1881 is hereby repealed.

Appointment of
Assessors.

4—On or before the first day of April in the year 1888, and in each seventh year thereafter, three Assessors shall be appointed under the Kingston Assessment Laws, 1881-86, one by the Governor, one by the Mayor and Council of Kingston, and one by the Commissioners.

Their dismissal.

Any Assessor may be dismissed by the Authority which appointed him.

In case of the death, dismissal, resignation, removal, absence or other inability, of any Assessor, another person may be appointed in his place by the Authority which appointed him:—Provided nevertheless that in case of the death, dismissal, resignation, removal, absence or other inability, before the 1st day of April, 1888, of one of the Assessors now acting under any appointment by the Municipal Board or the Mayor and Council of Kingston under the said Laws, or either of them, the Commissioners shall be entitled to fill the vacancy so created, and may from time to time appoint and dismiss the person to be Assessor in the place of the Assessor appointed as aforesaid whose office shall first become vacant.

How vacancies to be filled up.

5—From and after the 1st day of April in the year 1888, in lieu of the duties prescribed by Section 4 of Law 20 of 1881, it shall be the duty of the Assessors within three months after their appointment,—

Duties of Assessors.

- (a) To ascertain and assess the true annual value of all house property,
- (b) To make out two true and correct Assessment Rolls, in the Form set out in Schedule A hereto, of all house property, placing the streets, roads and lanes, in alphabetical order, and the house property in each according to its number or position, and setting forth the data on which the assessed value is arrived at in accordance with Section 5 of Law 20 of 1881, and all other particulars required to be filled up in that Schedule, and all other particulars (if any) required to be filled up under or in accordance with any Regulations which may be made as hereinafter mentioned,
- (c) To return one of the Assessment Rolls, duly signed and sworn to by them, to the Mayor and Council of Kingston, by lodging the same with the Clerk of the said Mayor and Council in his office, and to lodge the other Assessment Roll, similarly signed and sworn to, with the Clerk of the Commissioners in his office.

Form.
Schedule A.

It shall also be the duty of the Assessors, when making returns of Assessments under Section 4 of Law 34 of 1882, to

make the same in duplicate, in the Form set out in Schedule A hereto, and to lodge the duplicate of each return with the Clerk of the Commissioner at his office, at the same time as they make such return to the Mayor and Council of Kingston.

£522 1s. 3d. to be transferred from Commissioners to credit of the Kingston Streets Account, 1883.

6—The Treasurer of this Island shall, within 30 days after the passing of this Law, debit the account of the Commissioners in his books with the sum of £522 1s. 3d., as the amount payable by the Commissioners as their share of the past expenses of Assessments under the above mentioned Laws, and shall transfer and pay the same to the credit of the Kingston Streets Account, 1883, in his books.

Incidence of expense of future Assessments.

7—The expense of all Assessments not included in the above sum and of all future Assessments, except in cases in which applicants for Re-assessment become liable to pay the same, shall henceforth be borne and paid equally by and between the Mayor and Council of Kingston and the Commissioners.

The moiety payable by the Mayor and Council shall be a charge on and be paid out and by means of the General Purposes Fund for the Parish of Kingston created under Law 10 of 1886.

Declaration by tenant.

8—The tenant of any household property may make a declaration in the Form given in Schedule B to this Law before any Assessor.

Form in Schedule A,—

9—The Form in Schedule A hereto is hereby substituted for the Form A to Law 20 of 1881 in all cases in which the last mentioned Form has heretofore been required to be used.

Extension thereof.

The said Form may be extended by direction of the Mayor and Council of Kingston and the Commissioners, with the approval of the Governor, so as to meet any further particulars required to be furnished under any Regulations duly made hereunder.

Deposit on application for re-assessment.

10—In every case in which any householder shall apply for a Re-assessment of the premises occupied by him, he shall, with the application, lodge with the Clerk of the Mayor and Council of Kingston a sum of money sufficient to cover the costs of such Re-assessment, which sum shall be repaid to the applicant

if upon the Re-assessment the Assessment objected to is reduced, but not otherwise.

If the result of the Re-assessment is that the Assessment is not reduced, the amount so deposited shall be paid equally to and amongst the three Assessors by the Clerk of the Mayor and Council of Kingston on application at any time after any Appeal from such Re-assessment has been decided, or after the time for appealing has elapsed without any Appeal, as the case may be.

11—The Commissioners shall have and be entitled to the like right of Appeal against any Assessment by the Assessors for the time being, either before or after the 1st day of April, 1888, as is by Section 8 of Law 20 of 1881 (as extended by Section 9 of Law 34 of 1882) given to the Municipal Board; and when they appeal, the notice in the said Section mentioned shall be issued to the person ratable in respect of the house property against the Assessment of which the Commissioners appeal, and in case the party appealing is other than the Mayor and Council of Kingston, or the Commissioners, then the notice by the said Section required shall be issued to the Mayor and Council of Kingston and to the Commissioners, as Respondents.

Commissioners to have right of Appeal.

On the hearing of any Appeal the Commissioners may be represented and their case conducted by their Clerk or any Assessor, or any other person appointed by the Commissioners for such purpose, as the Commissioners may direct.

12—In every case in which any Assessment is altered on Appeal the Clerk of the Mayor and Council of Kingston shall, within seven days after the transmission to him of the result of the Appeal, transmit a statement of such result to the Clerk of the Commissioners, who shall note on the Assessment Roll, or other Assessment lodged with him, the fact of the Appeal and its result, together with the date of the judgment.

Notice of result of Appeal.

13—It shall be lawful for the Mayor and Council of Kingston and the Commissioners to make, alter or revoke, Regulations for the guidance of the Assessors in assessing house property, and as to furnishing with their Assessment Roll, or

Power to make Regulations.

their returns of Assessment, any additional particulars or statements beyond those required by this Law, and as to fixing the remuneration of the Assessors, whether by way of salaries or fees or otherwise, and as to the payment thereof, and the principles on which the Assessors should proceed, and generally in reference to their duties, and the mode of performing them.

Regulations may specify Penalties for their breach.

14—Such Regulations may specify a maximum penalty for the contravention thereof respectively, not exceeding five pounds for any one offence against each person contravening the same.

How to be signed, approved and published.

Such Regulations shall be signed by the Clerk of the Mayor and Council of Kingston, and by the Clerk of the Commissioners, and shall be subject to the approval of the Governor in Privy Council, who may allow, disallow, alter and add to, such Regulations, or any of them.

Such Regulations shall respectively come into force on such day as the Governor shall appoint by notice in the Jamaica Gazette, and shall be published in such manner, at such times, and in such special localities, as he shall from time to time direct.

In default of and in addition to any such direction as to the publication of all or any of such Regulations, all Regulations for the time being in force under this Law shall be kept in the office of the Mayor and Council of Kingston, and be there open for general inspection during office hours.

Offences.

15—The following persons are guilty of offences against this Law, and shall be liable, on conviction before a Court of Summary Jurisdiction, to maximum penalties of the amounts specified in respect of such offences:—

- (1.) Any owner or landlord who shall misrepresent to any Assessor the true annual rent at which his tenant is occupying any household property,—fifty pounds ;
- (2.) Any occupier who shall make any false declaration under this Law, or who shall misrepresent to any Assessor the true annual rent at which he occupies any household property,—fifty pounds ;

(3.) Any person who shall obstruct any Assessor in the performance of his duties,—ten pounds ;

(4.) Any Assessor who shall neglect, omit or refuse, any duty hereby imposed on him,—twenty-five pounds.

16—All penalties for any contravention of this Law, or of any Regulation under this Law, or any order given under any such Regulation, the recovery whereof is not otherwise provided for, may be recovered in a Court of Summary Jurisdiction.

Penalties;—in what Court to be enforced.

17—For enforcing any Regulation under this Law, or proceeding for any penalty for any contravention thereof, and in any proceedings wherein any such Regulation may come in question, it shall not be necessary to prove that the Regulation has been passed, approved or published, as required by or under the Provisions of this Law ; but the production of a copy of the Jamaica Gazette purporting to show that the said Regulation has been duly made and approved shall be sufficient evidence of the due making approval and publication thereof.

Proof of Regulations.

Schedule A.
(Sections 5 and 9.)

SCHEDULE A.
KINGSTON ASSESSMENT ROLL IS

Name of Street, Road or Lane.	Name or Number of House.	Name of Occupier.	By what claim of right.	Annual Value.		How ascertained	Grounds for not Assessing on rental, when it is not so Assessed.
				£	s. d.		
King Street	No. 1, 2 &c.	John Smith	As Tenant	30	0 0	By Tenants de- claration	—
Windward Road	Ellesmere	John Jones	As Owner	50	0 0	—	Not Rented.
Water Lane	No. 1, 2 &c.	James Smith	In charge for Owner	10	0 0	—	Ditto. Tenant is Landlord's son, and the value of the free- hold is estimated at £1,000, while the alleged rent is £20. Tenant refuses to state amount of Rent. Tenant only occupies part of the property, &c.

We the Assessors appointed under the Kingston Assessment Laws Amendment Law, 1886, make oath and say that the above contains to the best of our knowledge and belief, a true, full, and just account [of all household property in the Parish of Kingston ratable to the relief of the poor or of the above Household property referred to us for special assessment as *(the case may be)* and of all particulars relating thereto required by that Law to be set forth in the Assessment Roll thereby provided for.

(To be signed by the three Assessors, and sworn to by them respectively before a Justice of the Peace of Kingston.)

SCHEDULE B.

I A. B. of (*describe the house*) in the Parish of Kingston declare that I occupy the said household property as tenant thereof to C. D. of at a rental of pounds per annum (*quarter or month, &c., as the case may be*) and no more, and I believe the same to be the rentable value of the same.

Schedule B.
(Section 8.)

Dated this day of 188 .
A. B.



JAMAICA—LAW 26 OF 1886.

A Law respecting the Preservation of Public Health, and in aid of Laws 6 of 1867 and 8 of 1874.

[22nd October, 1886.]

BE it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

Preamble

1—It shall be lawful for the Central Board of Health from time to time, generally for the several Parishes in this Island, or for any particular Parish, to make Regulations for the prevention or the mitigation of contagious or infectious diseases.

Power to Central Board of Health to make Regulations.

2—Such Regulations may, among other things, provide for the isolation and keeping isolated of any house, or any part of any street, lane or avenue, in any part of any town or village, and for the isolation and keeping isolated at the domicile any person suffering or suspected to be suffering from any such disease, and for the vaccination or re-vaccination of every person :—

Matters which may be included in such Regulations.

Provided that where no such General Regulations exist a Local Board of Health may, because of the presence in its Parish of any contagious or infectious disease, make such Regulations.

Power to Local Boards of Health to make Regulations in certain cases.

3—Such Regulations in either case shall be submitted for the sanction of the Governor, who shall have power to amend the same, and when sanctioned shall be published in the Jamaica Gazette, and upon such publication, and whilst in force as hereinafter provided, shall have all the force of Bye-Laws made under Law 6 of 1867, and be enforced in manner by that Law provided in the case of Bye-Laws made under that Law.

Regulations :—their sanction, publication and enforcement.

Regulations ;—how
put in force and
revoked or deter-
mined.

4—Such Regulations shall from time to time be brought into force by Proclamation of the Governor, published in the Jamaica Gazette ; and the Governor may from time to time revoke or renew such Proclamation, and, subject to revocation and renewal as aforesaid, every such Proclamation shall have effect for six months from the date of publication of such Proclamation, or for such shorter period as may in such Proclamation be expressed.

How far Law 8 of
1874, Section 4,
may be suspended
by Regulations.

5—In so far as Section 4 of Law 8 of 1874 may be inconsistent with any Regulation made under this Law, it shall be considered revoked as to any Parish in which the said Regulations are in force, and only while they are so in force.



JAMAICA—LAW 27 OF 1886.

*"The Benefit Building Society Act, 1865, Amendment
Law, 1886."*

[27th October, 1886.]

WHEREAS many Societies have been established under The Benefit Building Society Act, 1865, and their usefulness has extended beyond the industrious poor and middle classes whose benefit was contemplated at the time of the passing of the said Act, and it is just that Mortgages for sums exceeding £500 granted to such a Society by any member should be liable to and bear the ordinary Stamp Duty :—

Preamble.

Be it enacted by the Governor, with the advice and consent of the Legislative Council of the Island of Jamaica, as follows :—

1—So much of Section 22 of the Act 28 Victoria, Chapter 17, as exempts mortgages, conveyances, bonds or other securities, made or given to or by the Trustees of Building Societies or Benefit Building Societies, from payment of Stamp Duty is hereby repealed.

28 Vic. c. 17, s. 22,
partially repealed.

2—All Mortgages granted to the Trustees of a Building or Benefit Building Society for any sum not exceeding £500 shall be exempt from any Stamp Duty, unless and until this Provision be specially repealed.

Mortgages not exceeding £500 exempt from Stamps.

3—The Stamp Duty in respect of loans on Mortgages to such Society shall be impressed, within 90 days of the execution thereof, upon the Memorandum to be recorded under Section 25 of the said recited Act ; and the Stamp Commissioner shall, if thereto required, endorse on the face of the said Mortgage that the Memorandum has been duly stamped, stating the amount of Duty with

How and when and where Stamp Duty on Mortgages to be impressed and noted.

which it has been stamped, and the date of such stamping, and it shall not be necessary to impress a Mortgage so endorsed with any Duty for any purpose.

Every Memorandum and Mortgage to a Society shall state truly the amount of the loan made and by it intended to be secured.

Loans exceeding £500 in the aggregate to the same members how to be stamped.

4—Where the same member has, or other members have, obtained from a Society more than one loan in respect of the same property, or the same member has obtained more than one loan in respect of several properties separately, the loans shall be aggregated, and the Stamp Duty to which the aggregate amount if exceeding £500 would be liable shall be impressed upon the last or one of the said Memoranda:—Provided that no loan in respect of which Duty has been already paid shall be included in such aggregate.

And where, under the Rules of such a Society, a Mortgage may be a continuing security for further sums to be granted by the Society, the Secretary and the Directors shall, within 90 days after the date thereof, cause the original Mortgage or Memorandum to be stamped with the Duty to which such Mortgage would be liable in the aggregate if exceeding £500.

Memorandum as to aggregate of Loans.

5—The Secretary of such a Society, or a Director thereof, shall, on every Memorandum and Mortgage for a sum not exceeding £500 granted to the Society to which he is Secretary or Director, subscribe a Note thereon to the effect following:—
“The aggregate amount of loans by the said Society to the borrower (or borrowers) in this security named, or to any person on the premises hereby Mortgaged, in respect of which “Stamp Duty has not been paid, does not exceed £500.”

Penalty on subscribing a false Note.

6—Any person who shall falsely subscribe such a Note shall, on conviction thereof before a Court exercising Summary Jurisdiction suffer a penalty of twice the amount of Duty payable in respect of the matters concerning which such false Note shall have been made.

Stamp chargeable to borrowers.

7—Notwithstanding any Rule of any such Society to the contrary, it shall be lawful for the said Society to charge to its members, as part of the costs of the loan, the amount of Stamp Duty payable in respect of such loan, without altering such Rule.



JAMAICA—LAW 28 OF 1886.

A Law to Lessen the Court Fees payable in Common Law Plaints in the District Courts.

[27th October, 1886.]

BE it enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council of the said Island, as follows:—

Preamble.

1—On and after the first day of November, 1886, the Court Fees to be paid and taken on or in respect of Common Law Plaints in the District Courts shall be those set forth in the Schedule hereto.

Alteration of Court fees as per Schedule.

2—Part 1 of the Schedule to Law 32 of 1882, being the Schedule of Court Fees in Common Law Plaints, is hereby repealed on and from the said 1st day of November, 1886.

Part 1 of Schedule to Law 32 of 1882, repealed.

SCHEDULE OF COURT FEES.—COMMON LAW.

Schedule.

Section 1.

	Where amount claimed does not exceed £2.	Where amount claimed exceeds £2.
Entering every plaint, and issuing summons thereon ..	One Shilling	Sixpence in the pound on every pound or part of a pound.
For hearing the cause, including entry of judgment and taxation of costs, when the claim is contested ...	One Shilling	Sixpence in the pound on every pound or part of a pound.
For hearing, including entry of judgment and taxation of costs, when the claim is not contested ...	Sixpence	Threepence in the pound on every pound or part of a pound.

On each Judgment Summons, including hearing	Four Shillings.
Every original subpoena (which may include three persons) ...	One Shilling.
Entering notice of special defence ...	One Shilling.
Every search in the books ...	One Shilling.
Issuing warrant of attachment or execution ...	One Shilling.
Copies of evidence or documents, for every sheet of 160 words or fraction of a sheet ...	Sixpence.
For entering every appeal ...	Five Shillings.
Filing every agreement as to costs under Section 77 of Law 22 of 1874 ...	One Shilling.

NOTE—In all complaints for the recovery of any debt or damages the Court Fees shall be estimated on the amount of the demand; but where the plaintiff recovers less than the amount of his claim, the difference between the Court Fees according to that amount and the Court Fees according to the amount recovered shall be paid by the plaintiff, and shall not be charged as costs against the defendant.

REPLEVIN AND INTERPLEADER.

The Court Fees in replevin and interpleader cases shall be estimated on the amount of the money or the value of the goods claimed, which value shall in the first instance be assessed by the claimant, but in case of dispute shall be assessed by the Judge at the hearing, who shall direct by whom, and when and how, any excess over the Fee originally paid shall be paid.

ON ASSIGNMENT OF JUDGMENT.

For recording each assignment	...	0 2 0
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